

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Dwight Xavier Jones,

Plaintiff,

v.

Director Patricia Ray; Captain Sweat; Officer
Tamiko Greg Wright; and Officer Durant,

Defendants.

C/A No. 5:24-cv-865-SAL

ORDER

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Kaymani D. West made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.) (the “Report”). [ECF No. 28.] Plaintiff Dwight Xavier Jones filed this *pro se* action under 42 U.S.C. § 1983, alleging Defendants violated his constitutional rights at the Sumter-Lee Regional Detention Center. [ECF No. 1.] On February 20, 2024, Jones moved for a preliminary injunction, seeking an order removing him from the Sumter-Lee Regional Detention Center. [ECF No. 8.] On March 11, 2024, however, the court received a Notice of Change of Address from Jones, indicating he had been transferred to the Barnwell County Detention Center. [ECF No. 10.] The magistrate judge thus recommended the court deny Jones’ motion, ECF No. 8, as moot. [ECF No. 28 at 2.] In response, Jones stated that he objects “no further” to the Report’s findings as to his preliminary injunction request. [ECF No. 33 at 1.]

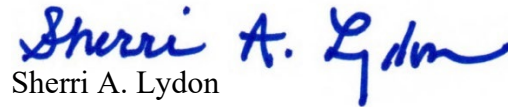
The magistrate judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this court. *See Mathews v. Weber*, 423 U.S. 261, 270–71 (1976). The court must review *de novo* only the portions of the Report to which a party has specifically objected, and it may accept, reject, or modify the Report in whole or in part. *See* 28 U.S.C. § 636(b)(1). In the absence of objections,

the court is not required to provide an explanation for adopting the Report and must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (citing Fed. R. Civ. P. 72 advisory committee’s note).

Having viewed the Report, the applicable law, and the record in accordance with the above standard, the court finds no clear error. The Report, ECF No. 28, is therefore adopted in full and incorporated herein. Jones’ motion, ECF No. 8, is **DENIED** as moot.¹

IT IS SO ORDERED.

July 11, 2024
Columbia, South Carolina


Sherri A. Lydon
United States District Judge

¹ The court makes no findings as to Jones’ further objections, which do not specifically concern the Report and instead address the merits of his claims. *See* ECF No. 33. Those arguments are not ripe for review at this stage in the proceedings.